



## Service of Process Transmittal Summary

**TO:** KIM LUNDY- EMAIL  
Walmart Inc.  
GLOBAL GOVERNANCE/CENTRAL INTAKE, 2914 SE I STREET MS#0200  
BENTONVILLE, AR 72712-3148

**RE:** Process Served in Texas

**FOR:** Wal-Mart Stores Texas, LLC (Domestic State: DE)

### ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

**TITLE OF ACTION:** Re: ROSA ELENA ALEGRIA // To: Wal-Mart Stores Texas, LLC

**DOCUMENT(S) SERVED:** Citation(s), Return(s), Original Petition, Certificate(s)

**COURT/AGENCY:** 434th Judicial District Court Fort Bend County, TX  
Case # 25DCV328892

**NATURE OF ACTION:** Personal Injury - 04/26/2023, SAM'S Club #8246, located at 12300 Southwest Freeway, Stafford, Texas 77477

**PROCESS SERVED ON:** C T Corporation System, Dallas, TX

**DATE/METHOD OF SERVICE:** By Process Server on 04/30/2025 at 11:28

**JURISDICTION SERVED:** Texas

**APPEARANCE OR ANSWER DUE:** By 10:00 a.m. on the Monday next following the expiration of 20 days after service (Document(s) may contain additional answer dates)

**ATTORNEY(S)/SENDER(S):** Corey Gornel  
Gornel & Associates, P.C.  
1177 West Loop South, Suite 1400  
Houston, TX 77027  
713-961-7777

**ACTION ITEMS:** CT has retained the current log, Retain Date: 04/30/2025, Expected Purge Date: 05/05/2025  
Image SOP

**REGISTERED AGENT CONTACT:** C T Corporation System  
1999 Bryan Street  
Suite 900  
Dallas, TX 75201  
8775647529  
MajorAccountTeam2@wolterskluwer.com

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT



**CT Corporation**  
**Service of Process Notification**

04/30/2025

CT Log Number 549018202

disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.



## PROCESS SERVER DELIVERY DETAILS

**Date:** Wed, Apr 30, 2025  
**Server Name:** Krystal Jones

Entity Served	WAL-MART STORES TEXAS, LLC
Case Number	25-DCV-328892
Jurisdiction	TX

Inserts		



**SERVICE FEE NOT COLLECTED  
BY DISTRICT CLERK**

THE STATE OF TEXAS

CITATION

TO: **WAL-MART STORES TEXAS, L.L.C.  
REGISTERED AGENT CT CORPORATION SYSTEM  
1999 BRYAN ST STE 900  
DALLAS TX 75201**

**NOTICE:**

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on Monday next following the expiration of twenty days after you were served this citation and **PLAINTIFF'S ORIGINAL PETITION** filed on **April 25, 2025**, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org.

The case is presently pending before the **434TH JUDICIAL DISTRICT COURT** of Fort Bend County sitting in Richmond, Texas. It bears cause number **25-DCV-328892** and is styled:

**ROSA ELENA ALEGRIA VS. SAM'S EAST, INC., WALMART INC., AND WAL-MART STORES TEXAS, L.L.C.**

The name and address of the attorney for **PLAINTIFF(S)** is:

**COREY GOMEL  
GOMEL & ASSOCIATES PC  
1177 WEST LOOP SOUTH SUITE 1400  
HOUSTON TX 77027  
713-961-7777**

The nature of the demands of said **PLAINTIFF(S)** is shown by a true and correct copy of the **PLAINTIFF'S ORIGINAL PETITION** accompanying this citation and made a part hereof.

If this Citation is not served, it shall be returned unserved. Issued under my hand and seal of said Court, at Richmond, Texas, **on this the 29th day of April, 2025.**

**BEVERLEY MCGREW WALKER, DISTRICT CLERK  
FORT BEND COUNTY, TEXAS**

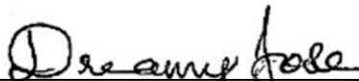
Physical Address:

1422 Eugene Heimann Circle, Room 31004  
Richmond, Texas 77469

Mailing Address:

301 Jackson Street, Room 101  
Richmond, Texas 77469

By:

  
Deputy District Clerk DREAMY JOSE ..  
Telephone: (281) 238-6284



25-DCV-328892

434th Judicial District Court

Rosa Elena Alegria vs. Sam's East, Inc., Walmart Inc., and Wal-Mart Stores Texas, L.L.C.

**OFFICER'S OR AUTHORIZED PERSON'S RETURN**

Came to hand on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, at \_\_\_\_\_ o'clock \_\_\_\_M. Executed at \_\_\_\_\_, within the County of \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_M. on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, by delivering to the within named \_\_\_\_\_, in person, a true copy of this citation together with the accompanying copy of the petition, having first attached such copy of such petition to such copy of citation and endorsed on such copy of citation the date of delivery.

Total fee for serving \_\_\_\_ citation at \$80.00 each \$\_\_\_\_\_

\_\_\_\_\_  
Name of Officer or Authorized Person

\_\_\_\_\_  
County, Texas

By: \_\_\_\_\_  
Signature of Deputy or Authorized Person

\*State day and hour and place of serving each person.

**COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.**

In accordance with TRCP Rule 107(e): The officer or authorized person who serves or attempts to serve a citation must sign the return. If the return is signed by a person other than a sheriff, constable, or the clerk of the court, the return must either be verified or be signed under penalty of perjury. A return signed under penalty of perjury must contain the statement below in substantially the following form:

"My name is \_\_\_\_\_, I am at least 18 years old, and my address is \_\_\_\_\_  
(First, Middle, Last)

\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_. I declare  
(Street) (City) (State) (Zip Code) (Country)

under penalty of perjury that the foregoing is true and correct. Executed in \_\_\_\_\_ County, State of \_\_\_\_\_,  
on the \_\_\_\_\_ day of \_\_\_\_\_,  
(Month) (Year)

\_\_\_\_\_  
Declarant / Authorized Person

\_\_\_\_\_  
(ID # and Expiration of Certification)

**ORIGINAL**



**SERVICE FEE NOT COLLECTED  
BY DISTRICT CLERK**

THE STATE OF TEXAS

CITATION

TO: **WAL-MART STORES TEXAS, L.L.C.  
REGISTERED AGENT CT CORPORATION SYSTEM  
1999 BRYAN ST STE 900  
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**BEVERLEY MCGREW WALKER, DISTRICT CLERK  
FORT BEND COUNTY, TEXAS**

Physical Address:

1422 Eugene Heimann Circle, Room 31004  
Richmond, Texas 77469

Mailing Address:

301 Jackson Street, Room 101  
Richmond, Texas 77469

By: 

Deputy District Clerk DREAMY JOSE \*\*  
Telephone: (281) 238-8284



**SERVICE**

25-DCV-328892

434th Judicial District Court

Rosa Elena Alegria vs. Sam's East, Inc., Walmart Inc., and Wal-Mart Stores Texas, L.L.C.

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Total fee for serving \_\_\_\_ citation at \$80.00 each \$ \_\_\_\_\_

\_\_\_\_\_  
Name of Officer or Authorized Person

\_\_\_\_\_  
County, Texas

By: \_\_\_\_\_  
Signature of Deputy or Authorized Person

\*State day and hour and place of serving each person.

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"My name is \_\_\_\_\_, I am at least 18 years old, and my address is \_\_\_\_\_  
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\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_. I declare  
(Street) (City) (State) (Zip Code) (Country)

under penalty of perjury that the foregoing is true and correct. Executed in \_\_\_\_\_ County, State of \_\_\_\_\_,

on the \_\_\_\_\_ day of \_\_\_\_\_.  
(Month) (Year)

\_\_\_\_\_  
Declarant / Authorized Person

\_\_\_\_\_  
(ID # and Expiration of Certification)

**SERVICE**

Citation issued to Wal-Mart Stores Texas, L.L.C. on 4/29/2025.

CAUSE NO. 25-DCV-328892

<p><b>ROSA ELENA ALEGRIA</b>  <i>Plaintiff,</i></p> <p><b>VS.</b></p> <p><b>SAM'S EAST, INC.,</b>  <b>WALMART INC., AND</b>  <b>WAL-MART STORES TEXAS, L.L.C.</b>    <i>Defendants.</i></p>	<p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p>	<p><b>IN THE DISTRICT COURT</b></p> <p><b>OF FORT BEND COUNTY TEXAS</b></p> <p>Fort Bend County - 434th Judicial District Court</p> <p><b>_____ JUDICIAL DISTRICT</b></p>
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**PLAINTIFF'S ORIGINAL PETITION**

COMES NOW ROSA ELENA ALEGRIA, Plaintiff, complaining of SAM'S EAST, INC., WALMART INC., AND WAL-MART STORES TEXAS, L.L.C., Defendants, and for cause of action shows:

**A. APPLICABLE DISCOVERY CONTROL PLAN**

I. Plaintiffs intend to conduct discovery under Level 3 of the Texas Rule of Civil Procedure 190.4.

**B. PARTIES**

2. Plaintiff, ROSA ELENA ALEGRIA, is an individual and resident of Fort Bend County, Texas.

3. Defendant, SAM'S EAST, INC., is a Foreign For-Profit Corporation authorized to do business in Texas and may be served with process by serving its registered agent for service of process, CT Corporation System, 1999 Bryan St., Ste. 900, Dallas, Texas 75201.

4. Defendant, WALMART INC., is a Foreign For-Profit Corporation authorized to do business in Texas and may be served with process by serving its registered agent for service of process, CT Corporation System, 1999 Bryan St., Ste. 900, Dallas, Texas 75201.

PLAINTIFF'S ORIGINAL PETITION PAGE-1



5. Defendant, WAL-MART STORES TEXAS, L.L.C., is a limited liability company authorized to do business in Texas and may be served with process by serving its registered agent for service of process, CT Corporation System, 1999 Bryan St., Ste. 900, Dallas, Texas 75201.

### **C. VENUE AND JURISDICTION**

6. Venue is proper in Fort Bend County, Texas pursuant to the Civil Practice & Remedies Code §15.002(a)(1) because all or a substantial part of the events or omissions giving rise to this cause of action occurred in Fort Bend County, Texas.

7. The Court has jurisdiction over Defendants because Defendants engage in business in Fort Bend County, Texas. The Court has jurisdiction over the controversy because the damages are within the jurisdictional limits of this Court.

### **D. MISNOMER/ALTER EGO**

8. In the event any parties are misnamed or are not included herein, it is Plaintiff's contention that such was a "misidentification", "misnomer", and/or such parties are/were "alter egos" of parties named herein.

9. Further, to the extent that the above-named Defendants are conducting business pursuant to a trade name or assumed name, then suit is brought against them pursuant to the terms of Rule 28 of the TEXAS RULES OF CIVIL PROCEDURE and Plaintiff hereby respectfully demands that, upon answering this suit, Defendant answer in their correct legal name and assumed name.

### **E. FACTS**

10. On April 26, 2023, Plaintiff, ROSA ELENA ALEGRIA, was a business invitee, shopping at SAM'S Club #8246, located at 12300 Southwest Freeway, Stafford, Texas 77477. As Plaintiff, ROSA ELENA ALEGRIA, was dining at Defendants' café area, she slipped and fell by stepping on a

wet carpet placed by defendants below the refreshment counter dispenser. After stepping on the wet carpet Plaintiff attempted to walk towards the sitting area but fell due to the wet carpet dripping. There were no warning signs to warn Plaintiff of the dangerous condition. At all times material hereto, Defendants had dominion and control over the property and the property's condition. As a result of the fall, Plaintiff, ROSA ELENA ALEGRIA, sustained serious, debilitating, and painful injuries.

#### **F. PREMISES LIABILITY**

11. Plaintiff was a business invitee at the time of the injury because she was a customer at Defendants' business. Because Defendants' business was open to the public, Defendants extended an invitation to Plaintiff to shop and dine at Defendants' store. Defendants thus owed Plaintiff the duty to inspect and maintain the premises in a reasonably safe manner. Defendants also had a duty to warn Plaintiff of any dangerous condition they knew or should have known of. Defendants' failure to inspect and/or maintain the premises and/or warn the Plaintiff of the dangerous condition was a proximate result of Plaintiff's injuries and damages.

12. Defendants were the owners and operators of SAM'S Club #8246 where Plaintiff fell.

13. The condition on the premises posed an unreasonable risk of harm. The wet carpet allowed to remain on the floor created a foreseeable risk that a customer in the store would slip and fall, injuring themselves.

14. Defendants knew or reasonably should have known of the conditions of the premises because Defendants, or their agents, servants or employees were in the area and/or required to maintain the area where the wet carpet was located. Defendants allowed the spill to remain on the floor for such a period of time as to create a dangerous condition because Defendants failed to timely remedy the situation and/or warn Plaintiff of the dangerous condition.

15. Defendants had a duty to use ordinary care to ensure that the premises did not present a danger to Plaintiff. This duty includes the duty to inspect and the duty to warn or to cure. Defendants

breached their duty of care by both failing to inspect, failing to make the condition reasonably safe and failing to adequately warn Plaintiff of the wet carpet on the floor.

16. Defendants' breach of duty proximately caused injury to Plaintiff, which resulted in Plaintiff's injuries.

17. Plaintiff seeks unliquidated damages within the jurisdictional limits of this court.

#### **G. NEGLIGENT ACTIVITY**

18. In the alternative, Plaintiff would show that the injury to Plaintiff was due in whole or in part to the negligence of Defendants, SAM'S EAST, INC., WALMART INC., AND WAL-MART STORES TEXAS, L.L.C., their agents, servants, and/or employees in failing to use ordinary care to protect persons from dangerous activities. Specifically, Defendants, their agents, servants, assigns, vendors and/or employees failed to warn Plaintiff of the dangerous activity that caused the injuries made the basis of this suit occurred.

19. The foregoing acts or omissions constituted negligence that in whole or in part caused the occurrence made the basis of this action, and the injuries and damages that Plaintiff suffered were the result of Defendants' negligence.

20. Pleading in the alternative, if a third party was involved, the conduct of the third party was foreseeable and thus the Defendants had a duty to prevent injuries to others, including Plaintiff, as it reasonably appeared to Defendants that others in the exercise of their lawful rights like Plaintiff may be injured.

21. Defendants had the power to control their premises and if the actions of a third party are attributable to the dangerous condition, Defendants had a duty to take reasonable precautions to make sure the area was safe for invitees. By occupying or controlling the premises, the Defendants had the power of control and expulsion over the third party.



#### **H. NEGLIGENT HIRING, TRAINING AND SUPERVISING**

22. Defendant owed a duty to Plaintiff to exercise reasonable care in hiring, training, supervising, and retaining agents, representatives and/or employees. Defendants breached that duty by:

- a. failing to exercise ordinary care in hiring its employees;
- b. failing to properly train its employees on the proper methods of inspecting the premises;
- c. failing to properly supervise its employees during the process of inspecting the premises;
- d. failing to properly train its employees on the proper methods of curing dangerous conditions on its premises; and,
- e. failing to inquire as to the competence and qualifications of its employees.

#### **I. NEGLIGENCE OF DEFENDANT'S AGENT, SERVANT OR EMPLOYEE**

23. At all times material hereto, Plaintiff would show the individual responsible for maintaining the electrical outlets and/or inspect the premises was an agent, servant and/or employee of Defendants and was acting within the course and scope of their employment as such agent, servant and/or employee when the accident made the basis of this suit occurred. As such, Defendants, SAM'S EAST, INC., WALMART INC., AND WAL-MART STORES TEXAS, L.L.C., are vicariously liable for the negligence of its agent, servant and/or employee, under the theory of *respondeat superior*.

#### **J. DAMAGES**

24. As a direct and proximate result of Defendants' negligence, Plaintiff suffered severe and painful injuries. Plaintiff suffered the following damages, which are within the jurisdictional limits of this Court:

- a. Physical pain in the past, present and future;
- b. Mental anguish in the past, present and future;
- c. Medical expenses in the past, present and future;
- d. Physical impairment in the past, present and future;



- e. Physical disfigurement in the past, present and future;
- f. Lost wages; and
- g. Loss of earning capacity.

**K. RULE 47 NOTICE**

25. Pursuant to Rule 47 of the Texas Rules of Civil Procedure, and in order to comply with the Rule only, Plaintiff states that they seek monetary relief over \$250,000.00 but not more than \$1,000,000.00 in the aggregate for all elements of recovery. Notwithstanding this required Rule 47 disclosure, the Plaintiff relies upon the good judgment of the jury. Plaintiff reserves the right to amend this amount prior to trial.

**L. RULE 193.7 NOTICE**

26. Pursuant to Texas Rule of Civil Procedure 193.7, Plaintiff hereby gives actual notice to Defendants that any and all documents produced by any Defendant in response to written discovery may be used against any Defendant at any pre-trial proceeding and/or at the trial of this matter, without the necessity of authenticating the documents.

**M. PRAYER**

27. Plaintiff has suffered in the past and will suffer in the future bodily injuries as a result of the accident made the basis of this suit. Upon trial of this cause, Plaintiff will respectfully request the Court or jury to determine the amount of loss that Plaintiff has incurred in the past and will incur in the future, not only from a financial standpoint, but also in terms of good health and freedom from pain and worry as a direct and proximate result of Defendants' negligence. There are certain elements of damages provided by law that Plaintiff is entitled to have the Court or jury in this case consider determining the sum of money, for each element, that will fairly and reasonably compensate them for the injuries, damages and losses incurred in the past and to be incurred in the future.

Respectfully submitted,

**GOMEL & ASSOCIATES, P.C.**

By: /s/ Corey Gomel /s/

Corey Gomel

State Bar No. 08115150

[alma@713abogado.com](mailto:alma@713abogado.com)

1177 West Loop South, Suite 1400

Houston, Texas 77027

(713) 961-7777 Telephone

(713) 961-7773 Telecopier

[E-service@713abogado.com](mailto:E-service@713abogado.com)

ATTORNEYS FOR PLAINTIFF

**DESIGNATED E-SERVICE EMAIL ADDRESS**

The following is the designated electronic service email addresses for Plaintiff's attorney(s) for all electronically served documents and notices, filed and unfiled, pursuant to the Tex. R. Civ. P. 21(f)(2) and 21(a): [E-Service@713abogado.com](mailto:E-Service@713abogado.com) [alma@713abogado.com](mailto:alma@713abogado.com). Please be advised, this is the ONLY electronic service email addresses for the above-referenced Plaintiff's attorney(s). Service through any other email address will be considered INVALID.

**Automated Certificate of eService**

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Alexandra Burd on behalf of Corey Gomel  
Bar No. 8115150  
silvia@713abogado.com  
Envelope ID: 100110954  
Filing Code Description: Petition  
Filing Description: Plaintiff's Original Petition  
Status as of 4/25/2025 3:36 PM CST

## Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Corey Gomel	8115150	alma@713abogado.com	4/25/2025 3:12:37 PM	SENT